ARC 7532B

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code section 455A.5(6), the Natural Resource Commission hereby amends Chapter 40, "Boating Speed and Distance Zoning," Iowa Administrative Code.

This amendment was requested by the City of Burlington in Des Moines County to establish a five-mile-per-hour speed zone on the Mississippi River by placement of regulatory buoys in such a way as to define the speed zone area that will be located between the north city docks/boat ramp and the south city docks/boat ramp. The marker buoys will be placed no farther than 150 feet from the shoreline and approximately 150 feet from the west edge of the barge channel. The City of Burlington held a public meeting regarding the amendment on November 3, 2008.

Notice of Intended Action was published in the Iowa Administrative Bulletin on November 5, 2008, as **ARC 7309B**. A public hearing was held at the Wallace State Office Building on November 25, 2008. No comments were received at the public hearing, and no changes were made to the Notice of Intended Action.

This amendment is intended to implement Iowa Code sections 462A.17 and 462A.26.

This amendment will become effective March 6, 2009.

The following amendment is adopted.

Adopt the following **new** rule 571—40.56(462A):

571—40.56(462A) Zoning of Mississippi River, Des Moines County, city of Burlington. All vessels shall be operated at a speed no greater than five miles per hour within the area designated by marker buoys or other approved uniform waterway markers beginning at the north city boat ramp and public dock and extending downstream to the south city boat ramp and public dock. The zoned area shall extend no farther than 150 feet from the shore and approximately 150 feet west of the west edge of the barge channel. The city of Burlington shall designate the five-mile-per-hour speed zone with buoys approved by the natural resource commission.

[Filed 1/9/09, effective 3/6/09]
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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 1/28/09.